

REMARKS

Applicant appreciates the time taken by the Examiner to review Applicant's present application. This application has been carefully reviewed in light of the Official Action mailed on December 18, 2008. Applicant respectfully requests reconsideration and favorable action in this case.

Interview Summary

Pursuant to Applicant Initiated Interview Request submitted on January 30, 2009, a telephonic interview was conducted on February 11, 2009 between Examiner Pedro Philogene and Applicant's representative. During the interview, Applicant's representative respectfully pointed out that the present application is a continuation of U.S. Patent Application No. 10/015,206, filed November 19, 2001, issued as U.S. Patent No. 6,964,664, which is a continuation of U.S. Patent Application No. 09/479,458, filed January 6, 2000, issued as U.S. Patent No. 6,331,179. The newly cited reference, U.S. Patent No. 6,599,290 ("Bailey"), is based on U.S. Patent Application No. 09/836,722, filed April 17, 2001, after the earliest priority date of the present application. Therefore, Bailey does not qualify as prior art. After verifying the priority information, Examiner Philogene agreed. Applicant appreciates the time and effort taken by Examiner Philogene to review and discuss with Applicant's representative regarding Applicant's present application.

Rejections under 35 U.S.C. § 102

Previously allowed claims 131-150 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,599,290 ("Bailey"). As submitted during the Examiner Interview on February 11, 2009, Bailey does not qualify as prior art under 35 U.S.C. § 102(e) as Bailey was filed after the earliest priority date of the present application. Accordingly, withdrawal of this rejection is respectfully requested.

Conclusion

Applicant respectfully submits that the present application is in a condition for allowance. Other than as explicitly set forth above, this reply does not include any acquiescence to statements, assertions, assumptions, conclusions, or any combination thereof in the Office Action. For the foregoing reasons and for other reasons clearly apparent, Applicant respectfully requests full allowance of claims 131-150. The Examiner is invited to telephone the undersigned at the number listed below for prompt action in the event any issues remain.

The Director of the U.S. Patent and Trademark Office is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 50-3183 of Sprinkle IP Law Group.

Respectfully submitted,

**Sprinkle IP Law Group**  
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